

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARRELL KONRAD ISCH,  
Plaintiff,

No. 1:09-cv-415

-v-

MEIJER, INC.,

Defendant.

HONORABLE PAUL L. MALONEY

**ORDER FOR DEFENDANT TO SERVE PLAINTIFF WITH MOTION FOR SUMMARY  
JUDGMENT OR, IN THE ALTERNATIVE, TO FILE PROOF OF SERVICE**

On June 22, 2009, Defendant Meijer, Inc. filed a motion for summary judgment against Plaintiff Darrell Isch. Under the Local Civil Rules, a party opposing a dispositive motion has 28 days to file a response. *See W.D. Mich. L.Civ.R. 7.2(c).* The deadline for Plaintiff Isch to file his response has expired, assuming he was served with a copy of the motion. Plaintiff Isch is not represented by an attorney and is proceeding *pro se*. Under the Local Civil Rules, “[c]ounsel filing any pleadings or other paper must serve attorneys not registered under this rule and *pro se* parties by nonelectronic service under Rule 5. A proof of service must be filed.” W.D. Mich. L.Civ.R. 5.7(i)(iii) (emphasis added). Defendant Meijer has not filed proof that it served its motion for summary judgment on Plaintiff Isch.

Therefore, **IT IS HEREBY ORDERED**, Defendant Meijer shall **SERVE** Plaintiff with its motion for summary judgment in accordance with the Federal Rules of Civil Procedure and the Western District of Michigan’s Local Civil Rules. Defendant Meijer shall **FILE** proof of service with the court. In the event that Defendant Meijer has already served Plaintiff Isch with a copy of its motion for summary judgment, Defendant Meijer shall **FILE** proof of service with the court.

Date: September 1, 2009

/s/ Paul L. Maloney

Paul L. Maloney  
Chief United States District Judge